IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 824 (S/S) of 2007

Shambhu Prasad Joshi S/o Sri K.N. Joshi Presently posted as Assistant teacher in Junior High School Sundariyana Block- Kirtinagar
District- Tehri Garhwal ------ Petitioner

Versus

1. State of Uttarakhand through Director of Vidyalayi Shiksha Nideshalaya Mayur Vihar, Dehradun
2. District Education Officer Narendra Nagar, District Tehri Garhwal
3. Additional District Education Officer (Basic), New Tehri, District Tehri Garhwal
4. Block Education Officer, Kirtinagar, District Tehri Garhwal

------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri N.S. Negi, learned counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 01.06.2007, Annexure 2 to the writ petition passed by Deputy Block Education Officer, Kirtinagar, District Tehri Garhwal, cancelling the attachment order of the petitioner dated 28.11.2006. By the order dated 28.11.2006 passed by Deputy Block Education Officer, Block Kirtinagar, Tehri Garhwal, the petitioner was attached temporarily against the vacant post of Assistant Teacher (Science) in Junior High School Sunderiyana.

Learned Standing Counsel has submitted that the Government has taken a Policy decision to cancel all the attachment order and in pursuance to that order, the Deputy

Block Education Officer, Kirtinagar has passed the cancellation of petitioner's attachment to Sunderiyana.

This Court is not inclined to interfere with the Government Policy to cancel the attachment. However, in case the post of Assistant Teacher (Science) is vacant in the institution or in nearby institution, the petitioner may be adjusted against the vacant post.

The petitioner has already moved a representation dated 03.07.2007, Annexure 3 to the writ petition before District Education Officer, Tehri Garhwal. During the course of argument, learned counsel for the petitioner has submitted that the respondent, District Education Officer, Tehri Garhwal may be directed to take decision on the representation of the petitioner within a particular period prescribed by the Court.

The prayer is innocuous.

In the circumstances, I direct the District Education Officer, Tehri Garhwal to take decision on the representation of the petitioner within a period of one week from the date of production of a certified copy of this order.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

09.07.2007
VKS